

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

UNITED STATES OF AMERICA

v.

No. 1:19-CR-060-P

TYLER HAASE

FACTUAL RESUME

In support of Tyler Haase's plea of guilty to the offense in Count Two of the indictment, Haase, the defendant, David Sloan, the defendant's attorney, and the United States of America stipulate and agree to the following.

Elements of the Offense

To prove the offense alleged in Count Two of the indictment, charging a violation of Title 18, United States Code, Section 876(c), that is, Mailing Threatening Communications, the government must prove each of the following elements beyond a reasonable doubt:¹

First. That the defendant knowingly deposited in the mail, for delivery by the postal service, a communication containing a threat to injure the person of another, as charged;

Second. That the defendant sent the communication for the purpose of issuing a threat or with knowledge that the communication would be viewed as a threat; and

Third. That the communication was addressed to an official who is covered by Title 18, United States Code, Section 1114.

¹ Fifth Circuit Pattern Jury Instruction 2.40 (5th Cir. 2015) (omitting third element to 18 U.S.C. § 876(b)); *Elonis v. United States*, 135 S. Ct. 2001, 2012 (2015).

Stipulated Facts

1. Haase admits and agrees that on or about November 5, 2018, in the Abilene Division of the Northern District of Texas, he knowingly deposited in a depository for mail matter and caused to be delivered by the postal service a communication that was post-marked on November 5, 2018, and addressed to a court official, who is employed by the Court of Appeals for the Ninth Circuit and covered by Title 18, United States Code, Section 1114, and that contained a threat to injure the court official and the person of members of the court official's family. Haase admits and agrees that these actions constitute a violation of Title 18, United States Code, Section 876(c), and further admits and agrees to the facts in the following paragraphs.

2. At the time material to this factual resume, Haase was incarcerated by the Texas Department of Criminal Justice and assigned to the French Robertson Unit in Abilene, Texas.

3. Sometime on or before November 5, 2018, Haase wrote a letter he addressed to the Clerk of Court for the Court of Appeals for the Ninth Circuit. Haase addressed the Clerk as "Circuit Court Clerk," thereby demonstrating he knew he was threatening a United States employee. The Ninth Circuit Clerk is a person covered by Title 18, United States Code, Section 1114. Haase advised the Clerk that she had "made too many mistakes," told her that he could not allow her to live, and threatened that he was "going to kill [her] and [her] whole family . . ." Haase admits he knew his communication would be viewed as a threat.

4. On or about November 5, 2018, while at the Robertson Unit, Haase placed the threatening letter into an envelope addressed to the Clerk of Court, and placed the envelope with the letter into a prison mailbox for delivery. The United States Postal Service post-marked and delivered the letter to the Clerk at the Court's address in San Francisco, California, on November 8, 2018.

5. Haase admits and agrees that he committed all the essential elements of the offense. This factual resume is not intended to be a complete accounting of all the facts and events related to the offense charged in Count Two of the indictment. The limited purpose of this statement of facts is to demonstrate that a factual basis exists to support Haase's plea of guilty to Count Two.

AGREED TO AND STIPULATED on this 31st day of January,
2020.

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TYLER HAASE
Defendant


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